



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/974,885

10/12/2001

Jen-Fu Lee

LEEJ3012/EM/7260

7650

23364

7590

06/22/2006

BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER

KRISCIUNAS, LINDA MARY

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/974,885	LEE, JEN-FU	
	Examiner	Art Unit	
	Linda Krisciunas	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Final office action in response to the applicant's amendments filed May 30, 2006. Claims 1 and 7 are pending. Claims 2-6 were canceled.

Response to Amendment

2. The Examiner has fully considered the amendments to the claims and they have been addressed in the rejection below.

Response to Arguments

3. The Examiner has fully considered the applicant's arguments with respect to Jain et al (US 2002/0069121) not teaching estimating quantity of parts based on the supplier's spare parts records but it is deemed not persuasive. Jain teaches an MRP system that utilizes a forecast or estimate of part quantities required which takes into consideration the inventory or supply or spare parts in the system, as noted in paragraphs 21, 24 and 29.

4. Additionally, the applicant argues that the supplier is informed after the estimation has been made and written into a document. The forecast information does precede informing the supplier in a typical MRP system. The forecast is made and then the supply assurance inquiry is sent to the supplier. Therefore, this argument is not persuasive.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3623

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain et al (US 2002/0069121) in view of Bellini et al (US 5,974,395).

As per claim 1, Jain teaches an inventory management system having a database and a network connection interconnected a product manufacturer and at least one component part supplier comprising (See Figures 1-2 where the intermediary (112) represents the manufacturer and the partner (108) represents a supplier. Figure 2 shows a network and paragraph 25 indicates the use of a database for storing information related to supply assurance or inventory information.); estimating possible quantity of component parts supplied from the component part supplier based on spare part records of the component part supplier stored in the database (paragraph 29, where the supply assurance request is sent out to check the inventory of the supplier partner and program 208S provides the inventory check results. The system determines if the demand amount can be met based upon the inventory the supplier has, where the demand is the quantity amount and is based on the spare parts or inventory at the supplier. Jain utilizes an MRP system which is known to contain forecasting or estimating information and in conjunction with inventory levels determines the quantity to order from its suppliers. See also paragraphs 21 and 24.); writing the estimation into one of a plurality of documents wherein a quantity, a description, and a proportion of the component parts of a product required in a forthcoming period of time are listed in fields of the document (paragraph 21: where the "pre-purchase order" involves various "business objects" including bill of materials. A purchase order contains quantity,

Art Unit: 3623

description, and a time period for the required parts.); and informing the component part supplier of the proportion of the component parts listed in the document through the network connection for confirmation (paragraph 17: where the customer generates a supply assurance request to each of the partner suppliers to query the availability of products.); wherein the system determines whether the component part supplier has replied to the document by replying to a computer of the product manufacturer within a predetermined period of time after the supplier has received the document, and wherein the system stores the document if it is determined that the component part supplier has replied to the document (paragraph 25: "After supply assurance requests 271C are transmitted, program 2080C waits to receive all supply assurance replies 285S. In one embodiment, the data in supply assurance replies 285S are stored in a database." See also paragraph 38 where "supply assurance replies" constitutes a confirmation.). Jain does not explicitly teach allowing the supplier to change the value directly. Bellini teaches that it is known to allow the component part supplier to modify the estimated proportion of the component parts in the fields of the document directly, if the proportion is not achievable in the forthcoming period of time (column 9, lines 9-38, where demands are sent out and then promises are sent back from suppliers indicating what can be delivered and by when which allows for accurate delivery dates). Bellini is an analogous art as it also teaches about supply chain management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the supply chain management system of Jain with the direct supplier response feature to provide means for allowing accurate delivery dates via promises from the suppliers.

As per claim 7, teaches if the component part supplier does not reply to the document, the system takes the estimated quantity of the component parts as a possible quantity of the component parts supplied by the component part supplier in the forthcoming period of time and store the same in the database (paragraph 25: "After supply assurance requests 271C are transmitted, program 2080C waits to receive all supply assurance replies 285S. In one embodiment, the data in supply assurance replies 285S are stored in a database. Based on the data provided by supply assurance replies 285S, program 2080C takes appropriate actions. For example, if all desired products are "available," then program 2080C generates one purchase order 275C to each supplier partner 108S to place the orders. In accordance with one embodiment, all desired products are available if each of the queried products can be provided by a specified date. Such availability may be from one or a combination of the general inventory, bonded inventory, and consignment inventory. However, if any one of the products is not available, then program 2080C takes actions defined by customer 108C. Program 2080C may, for example, generate a report and send it to responsible personnel. Program 2080C may also re-send supply assurance request 271C to another supplier 108S for another supply assurance request. Program 2080C usually uses an approved vendor's list (AVL) to select a supplier 108S in order of priority provided in the AVL. Alternatively, program 2080C can raise an exception to involve human interaction, such as sending an email to personnel in charge of generating the requests 271C or to other appropriate personnel. Because supply assurance replies 285S may include data regarding when a product demand can be met, customer

partner 108C can beneficially use the data, such as in re-adjusting his forecast or workload.”)

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

8. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following art also teaches about supply chain management: Lucas (US 6,996,538) and Bellini et al (US 5,974,395).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LMK

LMK
June 13, 2006


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600